

## GOVERNMENT OF ANDHRA PRADESH

### ABSTRACT

Public Service- Treasuries and Account Department – Kadapa District Departmental proceedings against Sri P. Ram Mohan, Deputy Director (Retd) – Final Show cause notice - W.P.No.13298/2007 filed by Sri P.Ram Mohan - Orders of Hon'ble A.P. High Court dated 24-07-2008 in WVMP.No.3098 /2007 and WPMP No. 16983/2007 in W.P. No. 13298 of 2007 – Implementation of orders of Hon'ble High Court – Release of Pensionary benefits – Orders – Issued.

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### FINANCE (ADMN.I.VIG.) DEPARTMENT

G.O.Rt.No. 4411

Dated: 12 -11-2008

Read the following:-

1. Govt.Memo.No.6695/1/Admn.I.Vig/A1/2004 dated 29-9-2005.
2. Hon'ble APAT order dated 01-05-2007 in OA No.5579/2005 filed by Sri P.Ram Mohan, Deputy Director (Retd.).
3. Govt.Memo.No.6695/1/Admn.I.Vig/A1/2004 dated 25-5-2007.
4. Hon'ble A.P. High Court order dated 24-07-2008 in WVMP.No.3098 of 2007 and WPMP No. 16983 of 2007 in W.P. No. 13298 of 2007.
5. G.P., for Services-II, A.P. High Court Letter No.CC.122/08/SP/S.II, dated 4-11-2008
6. DTA Lr.No.L1/11062/2007 dated 4-11-2008.
7. DTA Lr.No.K11 (5) 17554/2005 dated 6-11-2008.

### ORDER:

In a case of missing of Non-judicial stamps of worth Rs.74,250/- from the strong room of the District Treasury, Kadapa at the time of issuing indent of stamps to the Sub-Treasury, Proddutur on 23-07-1993 and 24-07-2003, departmental proceedings were initiated against Sri P.Ram Mohan, the then District Treasury Officer, Kadapa and others.

2. In the departmental inquiry the charges framed against him were proved. In the criminal proceedings also he was convicted. Due to his conviction, his pensionary benefits were withheld by the Government. Later on he was acquitted in the appeal made to the Fast Track Court, Kadapa. As the Charges framed in the departmental proceedings are different from the charge framed against him in the Criminal proceedings, Government proceeded further and issued a final show cause notice to him **“as to why a punishment of withholding 50% of pension permanently besides recovery of loss of Rs.74, 250/- caused to the Government from his DCRG should not be imposed for the charges which have been proved conclusively beyond any doubt in the inquiry already conducted under Rule 9 of A.P. Revised Pension Rules, 1980”** vide reference 1<sup>st</sup> read above.

3. Sri P.Ram Mohan, Dy. Director (Retd.), former DTO, Kadapa has filed an O.A.No.5579/05 in A.P.A.T. The Hon'ble APAT held that **“the Applicant is directed to submit himself before the Respondent No.1 and submit his explanation. If at all any adverse order is passed against him, it will be open for him to take recourse to the legal remedy. The O.A. is dismissed. VMA is allowed. M.A.Stands dismissed”**.

4. Aggrieved with the orders of Hon'ble A.P.A.T., Sri P.Ram Mohan, Dy. Director (Retd.), filed a W.P.No.13298 of 2007. The Hon'ble A.P.High Court in their order dated 28-6-2007 granted interim suspension of the order of the Hon'ble APAT in W.P.M.P.No.16983 of 2007 in W.P.No.13298 of 2007. Government filed counter affidavit in Writ Petition No.13298 of 2007 praying the Hon'ble High Court to vacate the interim orders in W.P.M.P.No.16983 of 2007 in W.P.No.13298 of 2007 dated 28-06-2007 and dismiss the Writ Petition as it is devoid of merits.

5. The Hon'ble High Court in WVMP No.3098 of 2007 and WPMP.No.16983 of 2007 in W.P.No.13298 of 2007 *observed "Having regard to facts and circumstances of the case, the interim suspension granted on 28-6-2007 is made absolute. Hence, WVMP is dismissed. We make it clear that the official respondents shall pay all the retiral benefits to the writ petitioner, as per Rules, within four weeks, except withholding of 25% pension."*

6. Government after careful consideration of the orders of Hon'ble A.P. High Court, hereby order to release all the retiral benefits to Sri P.Ram Mohan, Deputy Director (Retd.) by withholding 25% of his pension subject to outcome of final orders of Hon'ble High Court in W.P.No.13298 of 2007.

7. The Director of Treasuries and Accounts shall take necessary further action immediately and report compliance.

**(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)**

**Dr. SAMEER SHARMA  
SECRETARY TO GOVERNMENT (FP)**

To  
Sri P.Ram Mohan, Deputy Director (Retd.) H.No.1-9-615, Jamai Osmania Road,  
Hyderabad-44.  
The individual through Director of Treasuries and Accounts, A.P., Hyderabad.  
The Director of Treasuries and Accounts, A.P., Hyderabad.  
The Accountant General, A.P., Hyderabad.  
Copy to the G.P. for Services-II, A.P.High Court, Hyderabad.  
SF/SC.

**// FORWARDED BY ORDER//**

**SECTION OFFICER**